

"You are wrong," answered the witness. "Didn't you while you were staying with Sheriff Emery at the county jail?" shouted Atty. King.

REFUSES TO GET FRUSTRATED.

"Wrong Again," answered the witness calmly refusing to get frustrated. The attorney for the defense asked questions after the first question to get McWhirter to admit he and his older brother had talked over the case. The questions were shouted rapidly but William with legs crossed and hands folded answered each quickly and readily. He was the very picture of composure even during Atty. King's most strenuous efforts.

"How many hands did they play around before you joined in the game?" asked the attorney, changing his tact suddenly.

"What's a hand?" asked McWhirter with aggravating calmness.

"How many times were the cards dealt out?"

"On that's a hand; oh about two."

"How is it that you call the O'Brien's by name?"

"I understand that's their name."

"Have you seen them since?"

"No."

"Have you had any dealings with him since?"

"I don't think so."

"Have you an acquaintance with him?"

"No my acquaintance consisted of that in the Antlers."

"Did the 'doctor' invite you into the game?"

"Yes."

"What? Isn't this the first time you have ever said Donaldson invited you into the game?"

"No, sir, John O'Brien said that if the 'doctor' had no objections we could get in."

A SCOTCH INVITATION.

"Is that your idea of an invitation?"

"Most decidedly."

"In Scotland?"

"And in America!"

"You are giving us a Scotch version."

said Atty. King laughing as this little incident closed.

WON'T BE NAILED DOWN.

Atty. King has a transcript of William McWhirter's testimony during previous hearings. Each sentence is gone over word by word in an attempt to have the witness repeat the entire story with all details. The first testimony was furnished in September. When sure of certain remarks McWhirter answers with a decisive "most decidedly." When not positive he says with one fist pounding in the palm of his other hand, "I tell you sir I won't be nailed down word for word."

"What were the words used?" asked Atty. King, when O'Brien invited you into the game. "I want to know."

McWhirter answered.

"But I want to know the exact words," persisted the attorney.

"Well you won't know from me," was the witness's half angry retort.

A little later Atty. King wanted to know if someone didn't have a pair of Jacks. "What's a Jack?" asked the witness.

"You evidently don't know the game do you?"

"No, sir—and I don't want to."

Again Atty. King asked if one of the players "didn't see the raise," meaning covering the bet.

WAS KEPT BUSY "SERING."

"I don't know what they say. I was busy with what I was seeing," answered the witness, misinterpreting the card-game phrase.

Atty. King asked a number of questions to bring out the statement that the elder McWhirter went into the game to win. "It would be foolish not to bet to win," answered William.

"You didn't say anything did you—aside from trying to catch your brother's eye and shake your head—did you?"

"No—everything was serene."

"Were you surprised or frightened?"

"HAD AN 'EERIE' FEELING."

"No but I had what we call in Scotland and 'eerie' feeling—I knew everything was not all right."

Further along Atty. King said, "Did you know the rules of the game?"

"I don't think that game has any rules," answered the witness with a decided accent on the "that." This answer was stricken out at Atty. King's request.

When Atty. King came towards the witness with a revolver McWhirter said, "Don't shoot will you!" The revolver was brought when the witness said he knew nothing about guns. He answered no questions regarding the gun his brother pulled in the Antlers room. McWhirter was still in the witness chair at noon when a recess was called until 2 o'clock.

ALEX CROSS-EXAMINED.

The opening of the cross-examination of Alexander McWhirter at the afternoon session yesterday was devoted to questions concerning his knowledge of the cards he held and the cards held by Donaldson in the fatal game of cards in the roominghouse.

The witness could not state what cards he had in his hand or what cards Donaldson held. He denied that Donaldson held three sevens when the fatal game was played, but admitted that Donaldson declared that he had won the money on that hand. Several attempts were made by Atty. King to make the witness contradict the testimony he had given at the preliminary hearing in that matter, but nothing of importance was gained in that respect.

"Wasn't it a mistake in judgment which led you to play that festive game?" inquired the attorney for the defense.

"Yes, I will admit that much to my sorrow."

Details of the Dipping Glee to

Sweet's Milk Chocolates

A Smooth, even finish that makes them look so tempting and the uniform coating of rich soluble chocolate over perfectly blended centers, makes them taste as good as they look.

Sweet Candy Co.,

Manufacturing Confectioners.

"It was simply a case of a mistake in judgment, and you lost your money, didn't you?"

"I WAS ROBBED."

"No, sir, I did not lose my money. I 'was robbed'," he declared.

Whirter, pounding the arm of the witness chair with his fist.

"You don't know that you were robbed, you don't know the rules of the game and can't say but that the money was lost fairly, can you?"

"Yes, I do know I was robbed. I know it more and more all the time!" was the first answer of the witness.

DISTRUSTED O'BRIEN.

He was taken to task by the attorney for not telling the jury about having a revolver in his pocket at the time he went into the room and in reply said that he had not been asked about that.

He declared that he had distrusted "Morris" (Larry O'Brien), and hence put the revolver in his pocket for fear of meeting some other person of a similar character.

He had requested a newspaper reporter in an interview not to publish the fact that he had a revolver when he went into the card game.

The revolver was not loaded, and he declared that he knew nothing about it whatever, and denied most emphatically that he showed Parmenter how to load cartridges from rent how the latter came in the room as a bogus policeman.

In answer to further questions McWhirter said that he did not threaten him, and did not forcibly take any money from him.

WILLIAM IS CALLED.

At the conclusion of Alexander McWhirter's testimony, late in the afternoon, his brother William was called to the stand. His evidence was corroborative of that of Alexander and had hardly begun when the court adjourned for the day.

N. G. U. ENCAMPMENT.

Week Beginning August 25 Announced As Date.

The annual encampment of the Utah National Guard for the current year will be held Aug. 25-31 next. The location is as yet undecided, officially; but the general belief is that American Fork will be the place.

Adjutant General Wedgwood issued the following order last night, relative to the encampment:

"Headquarters National Guard of Utah, Salt Lake City, Utah, June 26, 1907. General orders No. 11.

"The National Guard of Utah will hold its annual encampment at a place to be hereafter designated, from Aug. 25 to Aug. 31, 1907, inclusive.

"A sufficient detail, the number to be hereafter designated made up from each organization of the guard, will pitch camp on Aug. 24 and the same detail will care for all company stores and quartermaster stores on Sept. 1. It will be by rail on roads to be hereafter designated.

"The commanding officer, First infantry, will issue all necessary orders in regard to clothing and equipment.

"By order of the commander-in-chief, 'W. A. WEDGWOOD, Adjutant General."

The commands to participate in the encampment will be companies A of Nphl, B of Ogden, C of Salt Lake, D of Mt. Pleasant, E of Mant, H of Salt Lake, First infantry, with the signal corps and hospital corps, headquarters, staff and band of this city, with Col. Plummer of the First regiment in command.

Gov. Cutler and staff, and officers from Fort Douglas will inspect the camp and the troops. It is expected that this encampment will prove the most successful yet held on account of the changes made in the guard which seem to have restored confidence and reinvigorated it generally. The regular camp drills and maneuvers generally are to be observed, and all possible instruction given.

HILL CLIMBING AUTO CONTEST

Arrangements Were Practically Completed by the Officials Today.

ENTRIES CLOSE TONIGHT.

Course to be Guarded by 75 Officers And 150 Soldiers—Meeting at Commercial Club This Evening.

With the exception of the final details to be arranged this evening, plans have been practically completed for the big automobile hill climbing contest, scheduled to take place on Saturday afternoon next. Entries close at 6 o'clock this evening, and nearly every machine in the city is expected to be on the list.

At the Commercial club tonight there will be a meeting at which the automobiles will be listed, classified, registered as to speed, etc., and given a place in the contest.

STREET WILL BE CLOSED.

It required considerable work on the part of the committee to make arrangements for the big contest and provide for proper protection to the contestants and the public. President A. J. Davis of the city council stated today that, after a consultation with the officials and the management of the Utah Light & Railway company, a satisfactory agreement had been reached. The contest starts at 2 p. m. from Eighth East and South Temple streets, and between the hours of 2 and 4:30 the street from Eighth East to the fort will be closed, and none but automobiles allowed thereon.

NO CARS ON STREET.

When the matter was discussed with Supt. Hunter of the car company, the latter was very accommodating and agreed to discontinue the car service on South Temple from the point mentioned and to use the first street line for spectators. The finish of the contest will be near the fort, at a point where the first street line crosses the boulevard. The south side of South Temple street will be used by the automobiles. No kind whatever on the north side of the street.

GUARDS FOR COURSE.

To guard against accidents to spectators, President Davis says the city will furnish 75 men to guard the intersections of the streets and in addition to these the car service will have 150 soldiers from the post to patrol the course and keep the same free from obstructions.

Just how many cars will be entered for the race can not be learned until after the meeting at the Commercial club this evening.

EIGHT EVENTS SCHEDULED.

The eight events arranged for so far are expected to include practically all the machines which will be entered. They are as follows:

First Contest—For runabouts costing \$1,000 and under.

Second Contest—For touring cars costing \$1,500 and under.

Third Contest—For stripped cars and runabouts costing \$1,500 and under.

Fourth Contest—For touring cars costing \$2,000 and under.

Fifth Contest—For runabouts costing \$3,000 and under.

Sixth Contest—For runabouts costing \$5,000 and under.

Seventh Contest—For touring cars costing \$5,000 and under.

Eighth Contest—Free-for-all class (the Newhouse trophy).

Entries will be mailed to every auto owner in the city and all will be invited to enter. There is absolutely no cost for entering.

The following are the officials chosen for the contest:

Referee—Wallace Bransford.

Starter—Frank Gardner.

Judges—Frank Knox, W. S. McCormick, Thomas Kearns, Brigham H. Roberts, M. H. Walker, Samuel Newhouse, Orson H. Hewlett, Ezra Thompson, David Keith, Windsor V. Rice.

Timers—Dr. Plummer, Samuel C. Park, C. S. Burton, Dr. Stauffer, Sam Porter, C. C. Goodwin.

O. J. SMITH CASE.

Hard Fight in Diehl's Court for Release of Alleged Embezzler.

Atty. Soren X. Christensen made a hard fight for Oliver J. Smith, charged with the embezzlement of \$10,000 in Judge Diehl's court. The case was set for hearing today but the prosecuting witness, B. B. Clawson, failed to appear in an appearance assistant, George Sheets, stated that he had received a telegram from Mr. Clawson, who is now in the east, to the effect that he could not be here until the 1st of July. Smith's bail had been fixed in the sum of \$100, which he was not able to furnish. Atty. Christensen insisted that the case go to trial or that the bond be materially reduced, declaring that it was an injustice to the defendant to keep him in jail to suit the convenience of some one else. Atty. Hahn stated that the prosecuting witness was not present when the case came up for hearing he would dismiss it. Judge Diehl reduced the bond to \$200, which was immediately furnished by W. B. Albertson and J. J. Snider. The case was set for July 5.

Leon Rosevert was arrested on Commercial street this morning at 5:30, while disposing of a box containing underwear and handkerchiefs. That the man stole the articles is the belief of the police. The box was marked "Mrs. J. W. Jorgensen." The prisoner had sold the goods for 50 cents.

This morning a warrant was issued for the arrest of George Spencer, a barber, on the charge of practicing the trade of barber without a license. An accused will be tried before Judge Diehl.

We don't care if you are skeptical; we don't care if you have no confidence in the evidence presented to us. Hollister's Rocky Mountain Tea will do the work or no pay—that's fair. 25 cents. Z. C. M. I. Drug Dept., 112-114 South Main St.

DESCENDANTS GATHER

To Honor Memory of Late President George A. Smith.

Yesterday being the ninetieth anniversary of the birth of the late President George A. Smith, his descendants met to honor this event. The reunion was held at the home of State Senator W. N. Williams, Mrs. Williams, a daughter of the late President George A. Smith, being the hostess.

There were about 125 guests present, all of them descendants. Lunch was served after which Prof. David H. Allen entertained with stereoscopic views showing the points of interest that the pioneers passed through. All together a most enjoyable evening was spent.

President George A. Smith was a counselor to President Brigham Young until he died in 1875. Together with the other pioneers he shared the hardships incident to the long trip across the plains with ox teams.

PILGRIMAGE OF THE UTAH PIONEERS SIXTY YEARS AGO TODAY.

SUNDAY, JUNE 27, 1847.

The morning was fine but cold. At 9:30 o'clock a. m. the thermometer stood at 45 degrees F. The ox-teams started about 8 o'clock a. m. and the remainder a little later. They soon met eight of the Oregon men on their way to the states, having on 20 horses and mules with them, mostly laden with packs of robes, skins, etc. Several of the pioneers sent letters back by these men. Having traveled two and three-quarters miles, the camp arrived at the dividing ridge where Elder Pratt had taken a barometrical observation. Two miles further brought them to the spring where Elder Pratt had camped the previous night, on the headwaters of Green River. William Clayton writes:

"Although the stream is small, we have the satisfaction of seeing the current run west instead of east. Since leaving the Pass we have descended considerably, winding round and between high bluffs or hills, but the road is good. One of the Oregon men, whose name is Moses Harris, is returning with us today, intending to wait for the next company of travelers to act as pilot for them. He appears to be a man of intelligence and to be extensively known in Oregon and well acquainted with the western country. He presented a file of the Oregon papers, containing the names of the five following numbers, for our perusal, and also a number of the California Star, published at Yerba Buena (afterwards San Francisco) by Samuel Brannan, and edited by E. J. Jones. Mr. Harris says he is well acquainted with the Bear River valley and the regions around the Great Salt Lake. From his description, which is very discouraging, we have little chance to hope for even a moderate good country anywhere in these regions. He speaks of the whole region as being sandy and destitute of timber and vegetation, except the sagebrush. He gives the most favorable account of a small region under the Bear River mountains called the Cache valley, where trappers and traders have been in the habit of encamping their robes, etc., to hide them from the Indians. He represents this valley as a fine place for wintering cattle. After halting some time we proceeded on and crossed the stream which is about three feet wide, then halted on its banks at 12 o'clock, having traveled six and a quarter miles. The day is warm; the latitude of this place is 42 degrees 18 minutes 58 seconds. At 2:25 o'clock p. m. we started again, and after traveling nine miles (and during the day 154 miles) we formed our encampment on a small stream called the Dry Sandy at 6:40 p. m.

"It is three years today since our brethren Joseph and Hyrum Smith were taken from us, and it was a great feeling in camp to spend the day in fasting and prayer; but the gentle companies being close in our rear and feed scarce, it was considered necessary to keep ahead for the benefit of our teams. Many minds, however, have reverted back to the scenes of Carthage jail, and it is a satisfaction that we had so far prospered in our endeavor to get from under the grasp of our enemies."

BANKERS ARE FIGURING.

They Still Claim Inequality in Fixing Recent Assessments.

The bankers of the city, comprising the Salt Lake clearing house, have not as yet held a meeting to consider the question of the new tax assessments but one will be called by President J. H. Burton, in the immediate future. In the meantime the clearing bank in the city is engaged in theorizing as to how the board of equalization arrived at its conclusion in each individual case. The bankers said to the "News" today: "Every bank made a return to the assessor of its capital, surplus and undivided profits, and the assessor decided that normal values should be assessed on the total, minus, of course, the assessment of any real estate owned. This was so radical an increase over previous years' figures, especially when compared with the way mercantile establishments and real estate are assessed, that the banks protested. As a result of their protest the board of equalization made reductions on all the line, varying from 10 to 33 1/3 per cent. The query is, why was not the rate of reduction made uniform? The board of equalization has statements of some of the banks as to their capital, surplus and undivided profits, it is impossible to understand the motive for its action."

A "News" representative interviewed commissioner Cogswell and Assessor Brown this morning as to what rule had been adopted in figuring the reductions, but both gentlemen declined to offer any explanation, merely saying that the board had considered each bank on its merits and acted accordingly. The gentlemen would not say so, but through some other sources it was intimated that in fixing the individual reductions, the board had looked into the question of the market value of the banks of the various banking houses, and it was also intimated that they had been governed by data of a more or less confidential nature gathered on the outside.

In giving the list of the banking houses whose assessment was changed from last year, yesterday's "News" intimated that the new assessments of some of the banks as to their capital, surplus and undivided profits, it is impossible to understand the motive for its action."

NEW TELEPHONE COMPANY.

Rich County Line Will Connect With Bell System.

The Utah and Wyoming Telephone company, which has just been organized by well known citizens of Rich county and others, will be operated as a sub-lessee company of the Rocky Mountain Bell Telephone company and will connect exclusively with the local and long distance lines of the Bell. The new company will build to connect Randolph, Laketown, Woodruff and Evanston and expects to put in a first class plant. It will have connection with the Evanston exchange of the Rocky Mountain Bell Telephone company. The new company is capitalized at \$100,000. Senator Wesley K. Walton is president; Charles W. Walton, secretary; George Simpson, managing director, and the board is completed by C. E. Jensen, A. E. Wing, William Cortes, G. H. Reed and J. J. Spencer. The company is owned by citizens of the territory in which it will operate.

REPORT IS UNFOUNDED.

Story of Another Action Against Sheets Denied in Hanson's Office.

The report that County Atty. Hanson contemplates filing an action against Chief of Police George Sheets to remove him from office on the grounds of malfeasance in office, is strongly denied today by an assistant in the county attorney's office. County Atty. Hanson was not in when a "News" representative called in regard to the story as related in two of the morning papers, but it is known that he knows whereof he speaks, declared most emphatically that no such action was contemplated by Mr. Hanson at all.

AN HONEST MESSENGER.

Given \$250 for Returning Bag Full of Valuables.

Copenhagen, June 27.—George Hamford, a putman, yesterday, as a reward for honesty, presented a messenger boy with \$250 for returning to him a bag which he had picked up and which contained money and jewelry valued at \$25,000. The boy picked up the bag in the principal square of the city and delivered it to the police. The police he telephoned various hotels until he located Mr. Hamford whose card he found inside.

MILLIONAIRE STRAWBERRY.

New York, June 27.—Patrick O'Mara, one of the speakers last night at a dinner of wholesale seedmen who have been holding their convention here, caused a stir by announcing that a new fruit is being raised in New Jersey, which will be known as the "millionaire strawberry."

Mr. O'Mara said the new strawberry would be almost as large as a Burbank potato. He visited the farm in New Jersey, he said, where the new fruit is growing and found that nearly two carloads will be ready for market next season.

G. A. R. ENCAMPMENT.

Seattle, June 26.—Bellingham today carried off the chief honor of the G. A. R. encampment, which is being held here. W. H. Hock of Bellingham was chosen commander of the department for the next year after a spirited fight against the Tacoma candidate, J. H. Coffman. The meeting was well attended and after the roll call had progressed far enough to show Hock's strength.

Eastern Washington gave him a large majority, while southwestern

Since becoming an exclusive manufacturer of Chocolates McDonald's mail has increased to such an extent that Uncle Sam has installed letter and package boxes in front of the factory.

REDUCED RATES EAST AND WEST.

Ask any Oregon Short Line of Union Pacific agent about rates East and West during June, July and August. Special Excursion Rates in effect from time to time to principal Pacific Coast and eastern points. City Ticket office, 301 Main St.

OUTING EXCURSION NORTH

Greatly reduced rates to northern Utah and Idaho points. Long limits. City Ticket Office 301 Main Street.

BORN.

OLSEN.—To Mr. and Mrs. Culbert L. Olsen, 2700 1/2th St., at 4 a. m., a 9-pound boy. All doing well.

R. E. Evans, Forist, 30 S. Main St. Floral Designs a Specialty. Phone 961.

UNION DENTAL CO

218 South Main. HONEST WORK. HONEST PRICES. Painless Extraction of Teeth or No Pay. All Work Positively Guaranteed. Phone 1128-X. Ind. 1128.

ESTABLISHED 1864
F. Meyerbach & Bro.
ONE PRICE TO ALL NEVER UNDERSOLD
REAL FRIDAY BARGAINS!
Are to be found in every department. Your attention is specially directed to
A FRIDAY SURPRISE SALE in WASH GOODS SECTION
500 Yards of the Best APRON GINGHAMS
All colors, all size checks, worth 10c. Special for Friday
LIMIT 15 YARDS TO A CUSTOMER. NO TELEPHONE ORDERS
TAKEN
A Friday Surprise Sale in The White Goods Section
Highly mercerized, white English Waists, exceedingly pretty Shirtdress materials, in plaid, stripes, and figured effects. Values up to 45c. Special for Friday, at a yard
A Friday Surprise Sale in The Drapery Section.
50 pair plaid dimity bordered ruffled white Swiss curtains, with hemstitched plain Swiss ruffle, 3 yards long and 38 inches wide, value \$1.23
Friday at a pair.....\$1.23

The Best and Most Important Surprise Sale of the Season!

\$4 and \$4.50 White Shirt Waist Suits.

\$1.54

This is positively the last chance to secure a pretty white dress at such a remarkably low price. They are made of white sheer lawn, dotted Swiss, etc., waists are all elaborately trimmed with lace and embroidery, very full pleated skirts to match, only 45 suits in this lot, come early Friday and take advantage of this great bargain feast. Suits worth \$4.00 and \$4.50 reduced for Friday only.....\$1.55

A FRIDAY SURPRISE SALE in the BOYS' CLOTHING SECTION

Boys' Wash Pants. 35c and 50c VALUES SPECIAL 15c. 100 PAIRS IN THE LOT. Sizes 3 to 10 years, made of good quality duck and crash, in plain and fancy colors, stripes, and checks. FRIDAY SURPRISE SPECIAL PER PAIR.....19c

DESERET NEWS BOOK STORE, 6 Main Street.

SIX BEST SELLING BOOKS FOR MONTH OF MAY

According to reports from the leading book sellers of the country, the six books which have sold best in the order of demand during the month are:

1. The Port of Missing Men.....\$1.50

2. Nicholson.....\$1.50

3. New Chronicles of Rebecca.....\$1.50

4. Wiggin.....\$1.25

5. The Lady of the Decoration.....1.00

6. The Brass Bowl.....\$1.00

7. The Flyers, McCutcheon.....\$1.25

In addition to the above we have a large stock of other popular books of the day.